

BILL NO. Z-93-01-19

ZONING MAP ORDINANCE NO. Z-03-93

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. R-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

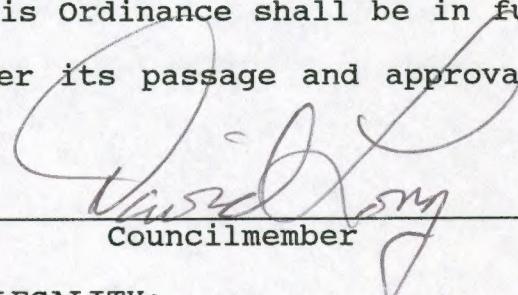
SECTION 1. That the area described as follows is hereby
designated an R-3 (Multi-Family Residential) District under
the terms of Chapter 33 of the Code of the City of Fort Wayne,
Indiana of 1974:

Part of Lot Number 12 in J.H Feichter's Garden View
Addition to the City of Fort Wayne, according to the plat
thereof recorded in Plat Record 7, page 3, of the records
in the Office of the Recorder of Allen County, Indiana,
and more particularly described as follows, to-wit:

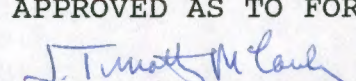
The North 101 feet of the following described real
estate: Beginning at the Southeast corner of said Lot
Number 12 in J.H. Feichter's Garden View Addition to the
City of Fort Wayne; thence West 80 feet; thence North
270.5 feet; thence East 80 feet; thence South 270.5 feet
to the place of beginning, excepting therefrom the East
18 feet thereof,

and the symbols of the City of Fort Wayne Zoning Map No. R-14,
as established by Section 11 of Chapter 33 of the Code of the
City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Long, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 1-26-93 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Garner, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY				<u>1</u>
EDMONDS	<u>1</u>			
GiaQUINTA				<u>1</u>
HENRY	<u>1</u>			
LONG				<u>1</u>
LUNSEY	<u>1</u>			
RAVINE	<u>1</u>			
SCHMIDT	<u>1</u>			
TALARICO	<u>1</u>			

DATED: 2-9-93 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-02-93 on the 9th day of February, 19 93

ATTEST: (SEAL) Thomas P. Henry
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of February, 19 93, at the hour of 11:00 o'clock A. M., E.S.T.

Approved and signed by me this 15th day of February, 19 93, at the hour of 4:15 o'clock P. M., E.S.T.
Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

CE 11 7540

NO 10948

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND., Dec 17 1992

RECEIVED FROM Joseph & Kathleen Costello \$ 100.00
 THE SUM OF One Hundred and no/100's DOLLARS
 ON ACCOUNT OF Raymond E 1515 La Verne Ave

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

AUTHORIZED SIGNATURE [Signature]

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 26, 1993 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-93-01-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 25, 1993.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

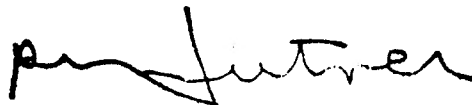
(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 1, 1993.

Certified and signed this
2nd day of February 1993.



Robert Hutner
Secretary

PETITION FOR ZONING ORDINANCE AMENDMENT.

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We Orville M. Ziegel and Marcella M. Ziegel
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an R-3 District the property described as follows:

Part of Lot Number 12 in J. H. Feichter's Garden View Addition to the City of Fort Wayne, according to the plat thereof recorded in Plat Record 7, page 3, of the records in the Office of the Recorder of Allen County, Indiana, and more particularly described as follows, to-wit:

The North 101 feet of the following described real estate: Beginning at the Southeast corner of said Lot Number 12 in J. H. Feichter's Garden View Addition to the City of Fort Wayne; thence West 80 feet; thence North 270.5 feet; thence East 80 feet; thence South 270.5 feet to the place of beginning, excepting therefrom the East 18 feet thereof.

(Le{

ADDRESS OF PROPERTY IS TO BE INCLUDED: 1515 Laverne Ave., Fort Wayne, IN

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>Orville M. Ziegel</u>	<u>1515 Laverne Ave.</u>	<u>Orville M. Ziegel</u>
<u>Marcella M. Ziegel</u>	<u>1515 Laverne Ave.</u>	<u>Marcella M. Ziegel</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.
Norbert J. Schenkel, Jr. Attorney 520 S. Calhoun St., Fort Wayne, IN 46802
(Name) (Address & Zip Code) (Telephone Number)
219-424-1333

COMMUNITY AND ECONOMIC DEVELOPMENT / Division of Long Range Planning & Zoning
and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street,
Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Owners of Property

(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

CERTIFICATE OF SURVEY

OFFICE OF:

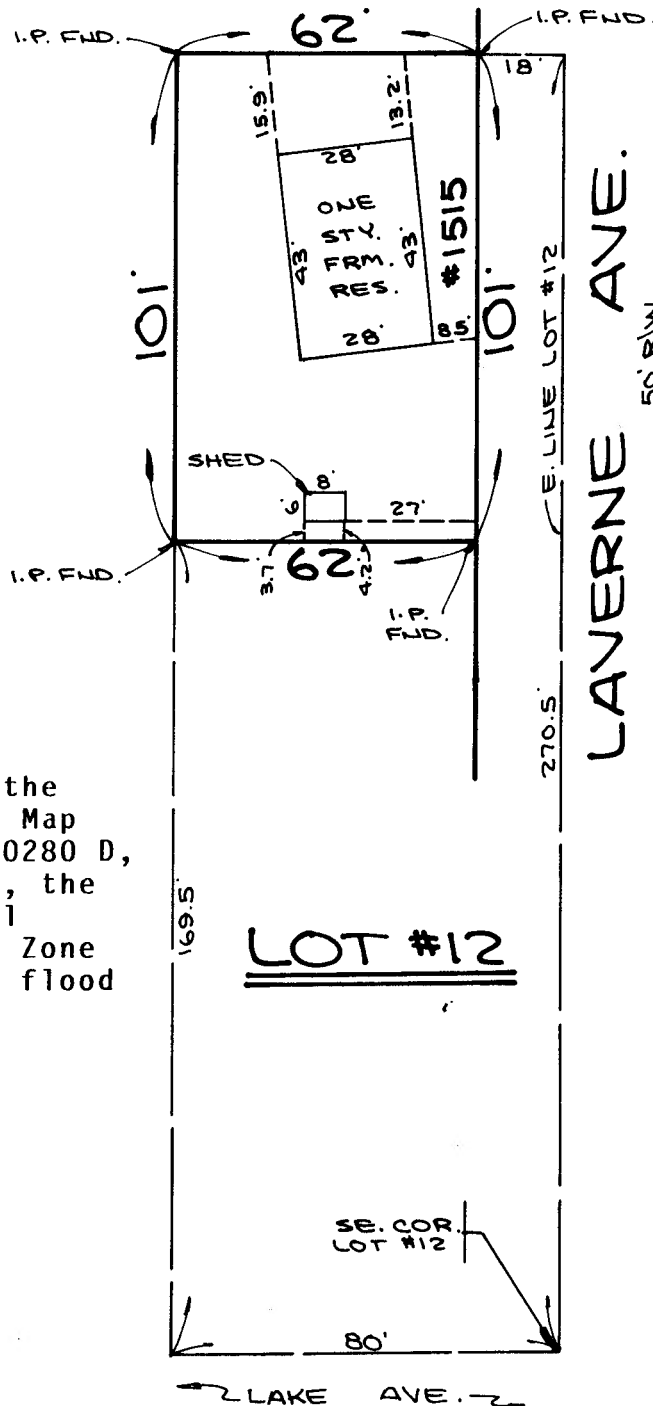
DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA
GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

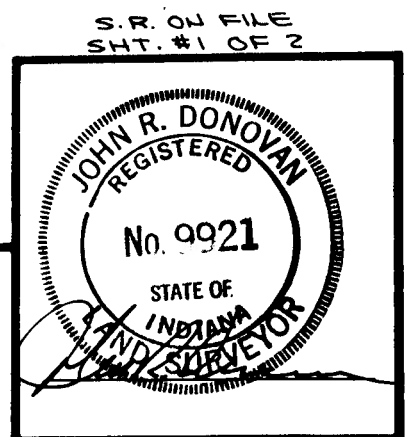
The description of the real estate is as follows, to wit: **SEE ATTACHED SHEET!**



NOTE: According to the Flood Insurance Rate Map (FIRM) number 18003C0280 D, dated Sept. 28, 1990, the herein described real estate is located in Zone "X", and is not in a flood hazard area.

JOB FOR: ZIEGEL-COSTELLO

1" = 40'
12-11-92



CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
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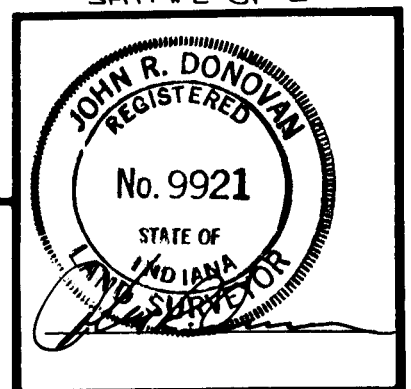
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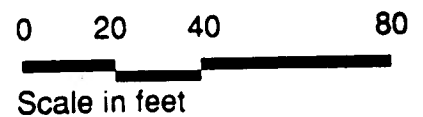
SHT. #2 OF 2

JOB FOR: ZIEGEL-COSTELLO

12-11-92



CASE NO. #529



Map No. R-14
LW 12-28-92

R1	One-Family	B1	Limited Business	M1	Light Industrial
R2	Two-Family	B2	Planned Shopping Center	M2	General Industrial
R3	Multi-Family	B3	General Business	M3	Heavy Industrial
RA/RB	Residential	B4	Roadside Business	MHP	Mobile Home Park
PUD	Planned Unit Dev.	POD	Professional Office District		

FACT SHEET

Z-93-01-19

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Map Amendment

APPROVAL DEADLINE**REASON**

From R-1 to R-3

DETAILS**Specific Location and/or Address**

1515 Laverne Av

Reason for ProjectConvert property into a real estate/
insurance office.**Discussion (Including relationship to other Council actions)**25 January 1993 - Public Hearing

Joe Costello, appeared before the Commission, for the petitioners. Mr. Costello stated that he was intending to purchase the property at 1515 Laverne Avenue, with the intention to convert it into a real estate/insurance office. He stated that he has been in this business for 32 years. He stated that the staff has given their approval of the request.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

1 February 1993 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation,

Of the seven (7) members present, six (6) voted in favor of the motion, one (1) did not vote.

Motion carried.

POSITIONS**RECOMMENDATIONS****Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**Orville & Marcella Ziegel
City Department

Other

Opponents**Groups or Individuals**

Basis of Opposition

**Staff
Recommendation**☒ For☐ Against

Reason Against

**Board or
Commission
Recommendation****By**☒ For☐ Against☐ No Action Taken

☐ For with revisions to conditions
(See Details column for conditions)

**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass☐ Other☐ Pass (as
amended)☐ Hold☐ Council Sub.☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** 17 December 1992

Projected Completion or Occupancy **Date** 2 February 1993

Fact Sheet Prepared by **Date** 2 February 1993

Patricia Biancaniello

Reviewed by **Date** 2 FEBRUARY 1993

Reference or Case Number

#529

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1515 Laverne Av

2-93-01-19

EFFECT OF PASSAGE Property is currently zoned R-1 -

Single Family Residential. Property will become R-3 -

Multi-Family Residential.

EFFECT OF NON-PASSAGE Property will remain zoned R-1 - Single

Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. Z-93-01-19

REPORT OF THE COMMITTEE ON
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of
Fort Wayne Zoning Map No. R-14

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca Ravine
David C. Long
Michael Lunsey

DATED: 2-9-93.

Sandra E. Kennedy
City Clerk